PTO/SB/21 (08-03)
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U.S. Patent and Trademark office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number Application Number 10/614,964 **TRANSMITTAL** Filing Date July 8, 2003 **FORM** First Named Inventor Hector F. DeLuca Art Unit 1614 (to be used for all correspondence after initial filing) Examiner Name Attorney Docket Number 1256-00777 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance communication Fee Transmittal Form Drawing(s) to Technology Center (TC) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) Petition Amendment/Reply Petition to Convert to a Provisional Application Proprietary Information After Final Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Terminal Disclaimer Extension of Time Request Identify below): Return Receipt Postcard Request for Refund Express Abandonment Request CD, Number of CD(s) Information Disclosure Statement Remarks Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Thomas M. Wozny, Reg. No. 28,922 Individual name Andr<del>us, S</del>ceales, Starke & Sawall, LLP Morrias Signature Date October 21, 2003 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Typed or printed name Dorothy A. Hauser October 21, 2003 Signature

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Appln. No.	:	10/614,964	)	CERTIFICATE OF MAILING
<b>Applicant</b>	:	Hector F. DeLuca et al	)	I hereby certify that this correspondence is
Filed	:	July 8, 2003	)	being deposited with the United States
Title	:	(20S)-1α-Hydroxy-2-	)	Postal Service with sufficient postage as
		Methylene-19-Nor-	)	first class mail in an envelope addressed to:
		Vitamn D <sub>3</sub> and Its Uses	)	Commissioner of Patents, P.O. Box 1450,
			)	Alexandria, VA 22313-1450, on this 21st
TC/A.U.	:	1614	)	day of October, 2003.
Examiner	:		)	
			)	Market Melles Cotober 21, 2003
Docket No.	•	1256-00777	)	Dorothy A Hauser Date

## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(b)(3)

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Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

The references listed on the enclosed PTO Form 1449 are being submitted in the above-identified patent application in accordance with 37 CFR 1.97(b)(3).

A copy of each of the listed references is enclosed in compliance with the rules.

The Commissioner is hereby authorized to charge any additional fees in connection herewith to Deposit Account No. 01.2000. A duplicate copy hereof is enclosed.

Respectfully submitted,

ANDRUS, SCEALES, STARKE & SAWALL, LLP

Thomas M. Mozny

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Substitute for form 1449/PTO

Sheet 1

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

of 2

Complete if Known				
Application Number	10/614,964			
Filing Date	July 8, 2003			
First Named Inventor	Hector F. DeLuca			
Art Unit	1614			
Examiner Name				
Attorney Docket Number	1256-00777			

U. S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	Document Number  Number-Kind Code <sup>2 (fl known)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
		<sup>US-</sup> 4,666,634	05-19-1987	Miyamoto		
		<sup>US-</sup> 5,246,925	09-21-1993	DeLuca et al		
	<u> </u>	<sup>US-</sup> 5,536,713	07-17-1996	DeLuca et al		
		<sup>US-</sup> 5,587,497	12-24-1996	DeLuca et al		
		<sup>US-</sup> 5,843,928	12-01-1998	DeLuca et al		
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	FOREIGN PATENT DOCUMENTS						
Examiner Cite Initials* No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	Τ		
		Country Code <sup>3 "</sup> Number <sup>4 "</sup> Kind Code <sup>5</sup> ( <i>if known</i> )	MM-DD-YYYY		Or Relevant Figures Appear	Ľ	
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Substitute for form 1449/PTO	C mplete if Kn wn			
Substitute for form ? 17.5/1 / C	Applicati n Number	10/614,964		
INFORMATION DISCLOSURE	Filing Date	July 8, 2003		
STATEMENT BY APPLICANT	First Named Inventor	Hector F. DeLuca		
(Use as many sheets as necessary)	Art Unit	1614		
(Use as many sheets as necessary)	Examiner Name			
Sheet 2 of 2	Attorney Docket Number	1256-00777		

	NON PATENT LITERATURE DOCUMENTS	
Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	Sicinski et al, "New 1Alpha,25-Dihydroxy-19-Norvitamin D3 Compounds of High Biological Activity: Synthesis and Biological Evaluation of 2-Hydroxymethyl,2-Methyl, and 2-Methylene Analogues", J. Med. Chem., 1998, Vol. 41, No. 23, pgs. 4662-4674, 1998, Abstract XP0021056465	
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		No. the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.  Sicinski et al, "New 1Alpha,25-Dihydroxy-19-Norvitamin D3 Compounds of High Biological Activity: Synthesis and Biological Evaluation of 2-Hydroxymethyl,2-Methyl, and 2-Methylene Analogues",

Examiner		Date	
Signature		Considered	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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